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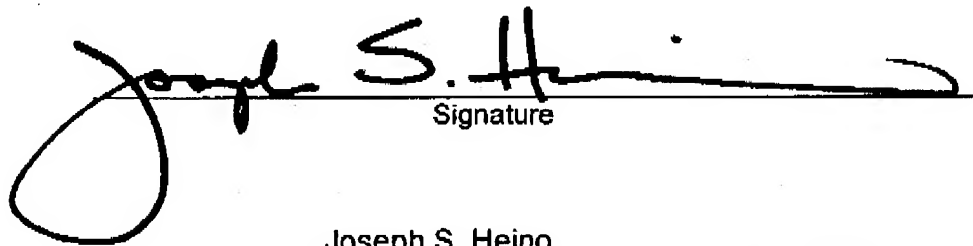
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App. No. : 10/676,769

Inventor: Richard D. McGaughey

Confirmation No. 37891

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Documents: Petition to Accept Unintentionally Delayed Claim Under 35  
U.S.C. § 119(e) with Exhibits

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 08 2004

OFFICIAL

In re application of

Richard D. McGaughey

: July 8, 2004

Serial No. 10/676,769

: Group Art Unit: 3624

Filed: 10/01/2003

: Confirmation No.: 7891

For: METHODS AND APPARATUS FOR SHARING REVENUE ASSOCIATED WITH  
NEGATIVE COLLECTION INFORMATIONCommissioner of Patents  
Office of Petitions  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 872.9306PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM  
UNDER 35 U.S.C. § 119 (e)

## FACTS:

The applicant filed a provisional application with the assistance of prior counsel on October 1, 2002. The application was assigned App. No. 60/415,336. Sometime prior to October 1, 2003, applicant retained new counsel and filed a utility application that attempted to claim priority to the previously filed provisional application. Counsel for the applicant, Joseph S. Heino, Reg. No. 31,524, relied upon applicant's statement that the filing date of the provisional application was in fact October 1, 2002 and that the application number assigned was 60/415,335 and honored applicant's request not to contact prior counsel. Counsel was provided with a copy of the provisional application cover sheet which bore an Express Mail certificate for an October 1, 2002 deposit date.

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Counsel was not, however, provided with a copy of the official Filing Receipt for that provisional application. See Affidavit of Joseph S. Heino, Exhibit D.

New counsel filed a utility application, Application Serial No. 10/676,769 on October 1, 2003. The preamble of the utility application claimed priority to Application Serial No. 60/415,335, filed 10/1/02. Additionally, the Application Data Sheet stated the application number as 60/415,335 and the filing date of the provisional as being November 1, 2002.

On December 24, 2003, counsel for the applicant received the Filing Receipt for the utility application without any listing of domestic priority. Counsel for the applicant, unaware that applicant had incorrectly provided the provisional application as 60/415,335, filed a request for a corrected Filing Receipt. That request was denied on January 21, 2004. Applicant then filed a second request for a corrected Filing Receipt on February 26, 2004, which was dismissed March 18, 2004. On March 24, 2004, applicant petitioned for a corrected filing receipt. That petition was denied on May 26, 2004.

The applicant then gave current counsel permission to speak with prior counsel on June 30, 2004. Current counsel has now obtained the file, together with the provisional application Filing Receipt, from previous counsel. It is now apparent that the appropriate provisional application number is, as noted by the Examiner, 60/415,336. The provisional application was filed on October 1, 2002. A copy of the official Filing Receipt for the provisional application is attached hereto as Exhibit A. A copy of the amended Application Data Sheet is attached hereto as Exhibit B. A replacement copy

of the first page of the application claiming priority to the provisional application is also attached hereto as Exhibit C.

**PETITION**

Based on the above, applicant hereby petitions the Commissioner of Patent to accept an unintentionally delayed claim for priority under U.S.C. § 119(e). Attached are:

- (1) a new first page of the application correctly listing the reference to the prior filed provisional application;
- (2) the surcharge set forth in 37 CFR § 1.17(t); and
- (3) a new Application Data Sheet.

Applicant hereby states that the entire delay between the date the claim was due under 37 CFR § 1.78 (a)(5)(ii) and the date the claim was filed is unintentional.

Applicant hereby authorizes a debit of \$1,330 for the fee under 37 C.F.R. § 1.17(t) to file this Petition to Accept an Unintentionally Delayed Claim of Priority.

Respectfully submitted,  
Richard D. McGaughey,

By Patrick M. Bergin

Joseph S. Heino  
Reg. No. 31,524  
DAVIS & KUELTHAU, s.c.  
111 E. Kilbourn Ave., Ste. 1400  
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(414) 225-1452

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Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REGD	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/415,338	10/01/2002		80	20000/10001	1		

CONFIRMATION NO. 8582

Grossman & Flight, LLC  
Attn: Jim Goddken  
Suite 4220  
20 North Wacker  
Chicago, IL 60608

**FILING RECEIPT**

\*\*\*\*\*  
\*OC000000008993351\*

Date Mailed: 10/23/2002

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Richard McGaughey, Gurnee, IL;

If Required, Foreign Filing License Granted 10/23/2002

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Methods and apparatus for sharing revenue associated with negative collection information

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

**EXHIBIT A**

**Application Data Sheet****Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Classification::	705/38
Suggested Group Art Unit::	2122
CD-ROM or CD-R?::	No
Sequence submission?::	Paper
Computer Readable form (CRF)?::	No
Title::	METHODS AND APPARATUS FOR SHARING REVENUE ASSOCIATED WITH NEGATIVE COLLECTION INFORMATION
Attorney Docket Number::	13133.20613
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	8
Small Entity?::	Yes
Petition included?::	No
Licensed US Govt. Agency::	No
Secrecy Order in Parent Appl.?::	No

**Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Richard
Middle Name::	D.
Family Name::	McGaughey

**EXHIBIT B**

City of Residence:: Racine  
State or Province of Residence:: WI  
Country of Residence:: US  
Street of mailing address:: 2901 Chatham Street  
City of mailing address:: Racine  
State or Province of mailing address:: WI  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 53402

**Correspondence Information**

Correspondence Customer Number::

**Representative Information**

Representative Customer Number::

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
	Provisional	60/415,336	10/01/2002



- 1 -

## APPLICATION FOR UNITED STATES PATENT

## SPECIFICATION

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METHODS AND APPARATUS FOR SHARING REVENUE ASSOCIATED  
WITH NEGATIVE COLLECTION INFORMATION

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This application claims the benefit of U.S. Provisional Application No. 60/415,336, filed 10/1/2002.

## TECHNICAL FIELD

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The present invention relates in general to computer systems and, in particular, to methods and apparatus for electronically reporting credit information and for sharing revenue associated with negative collection information. The uploaded information is automatically tallied and reported via a computer that is configured to provide up-to-date, on demand information to a collection information supplier any time.

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## BACKGROUND

Often, when a person or company is extended financial credit and that credit is in default, the matter is turned over to a collection agency for resolution. Typically, the collection agency reports this "negative" credit information to a credit bureau once a month on a magnetic tape. However, most collection agencies are under no legal or financial obligation to report the negative collection information to the credit bureau. The credit bureau stores negative collection information collected from hundreds of collection agencies in a database.

For a fee, subscribers to the database may access the negative collection information.

## EXHIBIT C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of****Richard D. McGaughey****: July 8, 2004****Serial No. 10/676,769****: Group Art Unit: 3624****Filed: 10/01/2003****: Confirmation No.: 7891****For: METHODS AND APPARATUS FOR SHARING REVENUE ASSOCIATED WITH  
NEGATIVE COLLECTION INFORMATION****AFFIDAVIT OF JOSEPH S. HEINO**

State of Wisconsin       )  
                                  ) ss.  
County of Milwaukee     )

I, Joseph S. Heino, do state as follows:

1. I am an attorney licensed to practice law in the State of Wisconsin and am registered to practice before the United States Patent and Trademark Office. My registration number is 31,524.

2. I had primary contact with the applicant, Richard McGaughey, relative to the above captioned application. I relied on the applicant's statement that the filing date of the provisional application was October 1, 2002 and that the application number assigned to the provisional application was 60/415,335. I was provided with the provisional application cover sheet which bore an Express Mail certificate for an

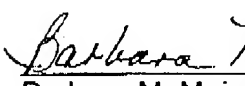
**EXHIBIT D**

October 1, 2002 deposit date. I was not provided with the filing receipt at that time or at any time prior to filing this application.

3. Prior to filing this application, the applicant asked me to not to contact prior counsel.

  
Joseph S. Heino

Subscribed and sworn to before me this  
8<sup>th</sup> day of July, 2004.

  
Barbara M. Majewski  
Notary Public, State of Wisconsin  
My Commission: 07/10/2005

